BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW
36 EAST SEVENTH STREET
SUITE 1510
CINCINNATI, OHIO 45202
TELEPHONE (513) 421-2255

TELECOPIER (513) 421-2764

RECEIVED

DEC 1 5 2010

PUBLIC SERVICE COMMISSION

VIA OVERNIGHT MAIL

December 13, 2010

Mr. Jeff Derouen, Executive Director Kentucky Public Service Commission 211 Sower Boulevard Frankfort, Kentucky 40602

Re:

Case No. 2010-00449

Dear Mr. Derouen:

Please find enclosed the original and twelve (12) copies of the PETITION TO INTERVENE OF GALLATIN STEEL COMPANY filed in the above-referenced matter.

By copy of this letter, all parties listed on the attached Certificate of Service been served. Please place this document of file.

Very Truly Yours,

Michael L. Kurtz, Esq.

BOEHM, KURTZ & LOWRY

MLKkew Attachment

cc:

Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by first-class postage prepaid mail, to all parties on the 13th day of December, 2010.

Mark David Goss Frost, Brown, Todd, LLC 250 West Main Street Suite 2800 Lexington, KY 40507

Michael L. Kurtz, Esq.

COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

In The Matter Of: Application of East Kentucky Power Cooperative, Inc. For An Order Approving The Establishment Of A Regulatory Asset For The Amount Expended On Its Smith 1 Generating Unit

Case No. 2010-00449

DEC 1 5 2010

PUBLIC SERVICE COMMISSION

PETITION TO INTERVENE OF GALLATIN STEEL COMPANY

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Gallatin Steel Company ("Gallatin") requests that it be granted full intervenor status in the above-captioned proceeding and states in support thereof as follows:

- 1. Gallatin is the largest end use customer located in the Owen Electric Cooperative ("Owen") service territory. Owen is in turn provided with generation and transmission service by East Kentucky Power Cooperative, Inc. ("EKPC").
- 2. The matters being decided by the Commission in this case may have a significant impact on the rates paid by Gallatin for electricity. Electricity represents a significant cost of doing business for Gallatin. The attorneys for Gallatin authorized to represent them in this proceeding and to take service of all documents are:

Michael L. Kurtz, Esq. **BOEHM, KURTZ & LOWRY**36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202 Ph: (513) 421-2255, Fax: (513) 421-2764

E-Mail: mkurtz@bkllawfirm.com

3. The position of Gallatin cannot be adequately represented by any existing party. Gallatin intends to play a constructive role in the Commission's decision making process herein and Gallatin's participation will not unduly prejudice any party.

WHEREFORE, Gallatin Steel Company requests that it be granted full intervenor status in the above captioned proceeding.

Respectfully submitted,

Michael L. Kurtz, Esq.

BOEHM, KURTZ & LOWRY

36 East Seventh Street, Suite 1510

Cincinnati, Ohio 45202

513.421.2255 Fax: 513.421.2764 E: mail: <u>mkurtz@BKLlawfirm.com</u>

COUNSEL FOR GALLATIN STEEL COMPANY

December 13, 2010